



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

APR 07 2011

OFFICE OF PETITIONS

**JAMES C. WRAY
1493 CHAIN BRIDGE ROAD
SUITE 300
MCLEAN VA 22101**

In re Application of: :
Isabel N. Gonzalez :
Application No. 10/765,995 : **DECISION ON PETITION**
Filing Date: January 29, 2004 :
Attorney Docket No. TH3551 (US) :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed on November 24, 2010, to revive the above-identified application.

The petition is **GRANTED**.

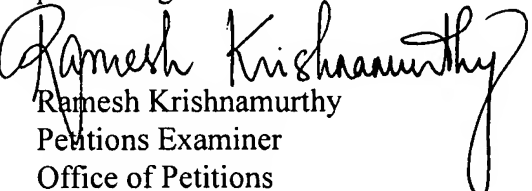
The above-identified application became abandoned for failure to file a proper reply in a timely manner to the Notice to File Corrected Application Papers mailed June 14, 2008, which set a shortened statutory period for reply of two (2) months. No extensions of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on August 15, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of the required drawings, (2) the petition fee of \$810, and (3) a proper statement of unintentional delay. Accordingly, the reply to the Notice to File Corrected Application Papers of June 14, 2008 is accepted as having been unintentionally delayed.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-3231.

The application is being referred to the Office of Patent Application Processing for further processing.


Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions